

REMARKS

Claims 1, 2 and 5-16 are pending in the application. Independent claim 1 is amended to avoid the art cited. Claims 2 and 5-16 depend from claim 1. Claims 3, 4 and 17-38 are cancelled.

The rejection of claim 1 under 35 USC 102(b) as being anticipated by Wulle ('290) is traversed.

Our invention is a device having a receptacle and a lever which can be selectively moved to a first position and a second position. When the lever is in the second position, it prevents a plug from being inserted into or removed from the receptacle and, at the same time, controls a switch which couple the receptacle to a source of power, even when a plug is NOT in the receptacle.

When the lever is in the first position, it allows a plug to be inserted into or removed from the receptacle and, at the same time, prevents the switch from coupling the receptacle to a source of power.

Thus, with our invention, even when a plug is not connected to the receptacle, our device allows the receptacle to be connected to a source of power.

In counter distinction, the Wulle reference discloses a device which allows power to be connected to the receptacle only when a plug is connected to the receptacle (underscoring added for emphasis). The Examiners attention is directed to the Wulle reference, Page 2, lines 13-20, where it is stated that "it is impossible for the switch to be turned on when the plug is absent" from the receptacle.

In other words, with the Wulle device, power can be connected to the receptacle only when a plug is inserted into the receptacle.

Our amended claim 1 clearly avoids the Wulle reference by reciting the structure of:

"a lever ... when in its second position ... prevents a plug from being inserted into or removed from said receptacle while, at the same time, allowing said switch to couple said receptacle to a source of power, even when a plug is not in the receptacle".

Nowhere does Wulle disclose, or even suggest that the receptacle can be connected to a source of power when a plug is not connected to the receptacle.

Claims 2 and 5-16 depend from independent claim 1 and, therefore, also avoid the Wulle reference.

The rejection of claims 8 and 9, which depend from independent claim 1, under 35 USC 103(a) as being unpatentable over Wulle in view of Klimek is traversed for the reasons noted above.

Applicant believes that the claims presently on file are in condition for allowance and respectfully requests early and favorable action by the Examiner.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney.

No fee is believed to be due with this Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the amendment, or credit any overpayment to the Greenberg Traurig LLP, Deposit Account No. 50-1561.

In the event that an extension of time is required to make this Amendment timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Greenberg Traurig LLP, Deposit Account No. 50-1561.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul J. Sutton', with a long horizontal stroke extending to the right.

Paul J. Sutton
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